UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/RES/1291 (2000)
24 February 2000

RESOLUTION 1291 (2000)

Adopted by the Security Council at its 4104th meeting,
on 24 February 2000

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, and other relevant resolutions, and the statements of its President of 26 January 2000 (S/PRST/2000/2), 24 June 1999 (S/PRST/1999/17), 11 December 1998 (S/PRST/1998/36), 31 August 1998 (S/PRST/1998/26) and 13 July 1998 (S/PRST/1998/20),

Reaffirming the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council for the maintenance of international peace and security, and the obligation of all States to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources, and noting with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities,

Expressing its strong support for the Lusaka Ceasefire Agreement (S/1999/815), which represents the most viable basis for the peaceful resolution of the conflict in the Democratic Republic of the Congo,

Reiterating its call for the orderly withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo in accordance with the Ceasefire Agreement,

Noting the commitment of all the parties to the Ceasefire Agreement to locate, identify, disarm and assemble all members of all armed groups in the Democratic Republic of the Congo referred to in Annex A, Chapter 9.1, of the Ceasefire Agreement and the commitment of all countries of origin of these armed groups to take the steps necessary for their repatriation, and noting that these tasks must be conducted by the parties in accordance with the Ceasefire Agreement,

Endorsing the selection by the Congolese Parties, with the assistance of the Organization of African Unity, of the Facilitator of the National Dialogue provided for in the Ceasefire Agreement, and calling on all Member States to provide political, financial, and material support to the Facilitation,

Recalling the report of the Secretary-General of 17 January 2000 (S/2000/30),

Stressing its commitment to work with the parties to implement fully the Ceasefire Agreement, while underlining that its successful implementation rests first and foremost on the will of all parties to the Agreement,

Stressing the importance of the re-establishment of state administration throughout the national territory of the Democratic Republic of the Congo as called for in the Ceasefire Agreement,

Stressing the importance of the Joint Military Commission (JMC), and urging all States to continue to provide it with assistance,

Emphasizing that phase II of the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) should be based on the following considerations:

(a) that the parties respect and uphold the Ceasefire Agreement and the relevant Council resolutions;

(b) that a valid plan for the disengagement of the parties' forces and their redeployment to JMC-approved positions is developed;

(c) that the parties provide firm and credible assurances, prior to the deployment of MONUC forces, for the security and freedom of movement of United Nations and related personnel,

Recalling the relevant principles contained in the Convention on the Safety of the United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President of 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Expressing its serious concern over the humanitarian situation in the Democratic Republic of the Congo, and encouraging donors to respond to the United Nations consolidated humanitarian appeal,

Stressing the importance to the effectiveness of such humanitarian assistance and other international operations in the Democratic Republic of the Congo of favourable conditions for local procurement and recruitment by international organizations and agencies,

Expressing its deep concern at all violations and abuses of human rights and international humanitarian law, in particular those alleged violations referred to in the report of the Secretary-General,

Expressing also its deep concern at the limited access of humanitarian workers to refugees and internally displaced persons in some areas of the Democratic Republic of the Congo, and stressing the need for the continued operation of United Nations and other agencies' relief operations, as well as human rights promotion and monitoring, under acceptable conditions of security, freedom of movement, and access to affected areas,

Determining that the situation in the Democratic Republic of the Congo constitutes a threat to international peace and security in the region,

1. Calls on all parties to fulfil their obligations under the Ceasefire Agreement;

2. Reiterates its strong support for the Special Representative of the Secretary-General in the Democratic Republic of the Congo and his overall authority over United Nations activities in the Democratic Republic of the Congo, and calls on all parties to cooperate fully with him;

3. Decides to extend the mandate of MONUC until 31 August 2000;

4. Authorizes the expansion of MONUC to consist of up to 5,537 military personnel, including up to 500 observers, or more, provided that the Secretary-General determines that there is a need and that it can be accommodated within the overall force size and structure, and appropriate civilian support staff in the areas, inter alia, of human rights, humanitarian affairs, public information, child protection, political affairs, medical support and administrative support, and requests the Secretary-General to recommend immediately any additional force requirements that might become necessary to enhance force protection;

5. Decides that the phased deployment of personnel referred to in paragraph 4 above will be carried out as and if the Secretary-General determines that MONUC personnel will be able to deploy to their assigned locations and carry out their functions as described in paragraph 7 below in conditions of adequate security and with the cooperation of the parties, and that he has received firm and credible assurances from the parties to the Ceasefire Agreement to that effect, and requests the Secretary-General to keep the Council informed in this regard;

6. Decides that MONUC will establish, under the overall authority of the Special Representative of the Secretary-General, a joint structure with the JMC that will ensure close coordination during the period of deployment of MONUC, with co-located headquarters and joint support and administrative structures;

7. Decides that MONUC, in cooperation with the JMC, shall have the following mandate:

(a) to monitor the implementation of the Ceasefire Agreement and investigate violations of the ceasefire;

(b) to establish and maintain continuous liaison with the field headquarters of all the parties' military forces;

(c) to develop, within 45 days of adoption of this resolution, an action plan for the overall implementation of the Ceasefire Agreement by all concerned with particular emphasis on the following key objectives: the collection and verification of military information on the parties' forces, the maintenance of the cessation of hostilities and the disengagement and redeployment of the parties' forces, the comprehensive disarmament, demobilization, resettlement and reintegration of all members of all armed groups referred to in Annex A, Chapter 9.1 of the Ceasefire Agreement, and the orderly withdrawal of all foreign forces;

(d) to work with the parties to obtain the release of all prisoners of war, military captives and remains in cooperation with international humanitarian agencies;

(e) to supervise and verify the disengagement and redeployment of the parties' forces;

(f) within its capabilities and areas of deployment, to monitor compliance with the provisions of the Ceasefire Agreement on the supply of ammunition, weaponry and other war-related matériel to the field, including to all armed groups referred to in Annex A, Chapter 9.1;

(g) to facilitate humanitarian assistance and human rights monitoring, with particular attention to vulnerable groups including women, children and demobilized child soldiers, as MONUC deems within its capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organizations and non-governmental organizations;

(h) to cooperate closely with the Facilitator of the National Dialogue, provide support and technical assistance to him, and coordinate other United Nations agencies' activities to this effect;

(i) to deploy mine action experts to assess the scope of the mine and unexploded ordnance problems, coordinate the initiation of mine action activities, develop a mine action plan, and carry out emergency mine action activities as required in support of its mandate;

8. Acting under Chapter VII of the Charter of the United Nations, decides that MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities, to protect United Nations and co-located JMC personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel, and protect civilians under imminent threat of physical violence;

9. Calls on the parties to the Ceasefire Agreement to support actively the deployment of MONUC to the areas of operations deemed necessary by the Special Representative of the Secretary-General, including through the provision of assurances of security and freedom of movement as well as the active participation of liaison personnel;

10. Requests the Governments of the States in the region to conclude, as necessary, status-of-forces agreements with the Secretary-General within 30 days of adoption of this resolution, and recalls that pending the conclusion of such agreements the model status-of-forces agreement dated 9 October 1990 (A/45/1594) should apply provisionally;

11. Requests the Secretary-General, on the basis of concrete and observed military and political progress in the implementation of the Ceasefire Agreement and relevant Council resolutions, to continue to plan for any additional United Nations deployments in the Democratic Republic of the Congo and to make recommendations for further Council action;

12. Calls on all parties to ensure the safe and unhindered access of relief personnel to all those in need, and recalls that the parties must also provide guarantees for the safety, security and freedom of movement for United Nations and associated humanitarian relief personnel;

13. Calls on all parties to cooperate with the International Committee of the Red Cross to enable it to carry out its mandates as well as the tasks entrusted to it under the Ceasefire Agreement;

14. Condemns all massacres carried out in and around the territory of the Democratic Republic of the Congo, and urges that an international investigation into all such events be carried out with a view to bringing to justice those responsible;

15. Calls on all parties to the conflict in the Democratic Republic of the Congo to protect human rights and respect international humanitarian law and the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, and calls on all parties to refrain from or cease any support to, or association with, those suspected of involvement in the crime of genocide, crimes against humanity or war crimes, and to bring to justice those responsible, and facilitate measures in accordance with international law to ensure accountability for violations of international humanitarian law;

16. Expresses its deep concern over the illicit flow of arms into the region, calls upon all concerned to halt such flows, and expresses its intention to consider this issue further;

17. Expresses its serious concern at reports of illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, including in violation of the sovereignty of that country, calls for an end to such activities, expresses its intention to consider the matter further, and requests the Secretary-General to report to the Council within 90 days on ways to achieve this goal;

18. Reaffirms the importance of holding, at the appropriate time, an international conference on peace, security, democracy and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity, with the participation of all the Governments of the region and all others concerned;

19. Requests the Secretary-General to provide a report every 60 days to the Council on progress in the implementation of the Ceasefire Agreement and this resolution;

20. Decides to remain actively seized of the matter.